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(N9)
8/28/02
Response Under 37 CFR § 1.116
Expedited Procedure
Examining Group 1772

CP to enter 8/29/02 DC

In the United States Patent and Trademark Office

Applicants:	M. A. Burazin et al.	Docket No.:	13,497.2
Serial No.:	09/441,987	Group:	1772
Confirmation No:	5262	Examiner:	A. A. Chevalier
Filed:	November 17, 1999	Date:	August 1, 2002
For:	ROLLS OF TISSUE SHEETS HAVING IMPROVED PROPERTIES		

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TC 1700

To: Examiner
8/29/02
Request For Reconsideration After Final Rejection

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GROUP 3600

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Sir:

In response to the Final Rejection mailed May 8, 2002, Applicants respectfully ask the Examiner to reconsider the rejection in light of the following remarks.

Remarks

All of the pending claims (1-22 and 48-69) stand rejected under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over U.S. 5,672,248 to Wendt et al. Essentially, the rejection is based on the fact that the tissue sheets of Wendt et al. share a number of sheet properties that are the same as the properties of the tissue sheets produced in accordance with Applicants' invention. However, what has not been appreciated thus far is the fact that there are also significant differences between the tissue sheets of Wendt et al. and those of this invention which result in different roll properties as claimed. In particular, Applicants have formed the tissue sheets differently, either by using a different throughdrying fabric that creates cross-machine direction dominant bar-like protrusions in the sheet or by manufacturing the throughdrying fabric with an offset seam. Either of these two approaches provide roll properties that are unique, even though many of the sheet properties, as mentioned in the Final Rejection, are substantially the same as those of Wendt et al.

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In support of the rejection, which is based on the assumption that the tissue sheets of Wendt et al. inherently provide the same roll properties as those claimed by Applicants, the Examiner has stated that Applicants have not provided any evidence that the rolls of Wendt et al. do not possess those claimed properties. However, Applicants have done so as discussed in the previous Amendment. Specifically, Example 14 in Applicants' specification is in accordance with the teachings of Wendt et al and served as the control for Applicants' examples. This example provided a poor roll firmness of 10.4 millimeters in spite of having good sheet properties.

Applicants believe the Examiner will appreciate that the unique features imparted to the tissue sheets by Applicants' methods (offset seaming and bar-like protrusions) are not reflected in any of the sheet properties that the Examiner relies on to make the presumption of inherency (sheet bulk, basis weight, single sheet caliper, geometric mean modulus/geometric mean tensile strength, absorbent capacity, and absorbent rate). As a consequence, it does not follow that the claimed roll properties are inherent or obvious from the teachings of Wendt et.

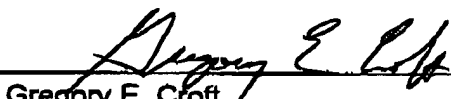
Therefore it is believed that this application is in condition for allowance and such action is earnestly solicited.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: (920) 721-3616.

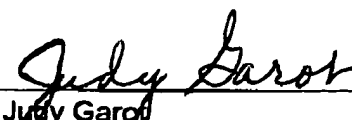
Respectfully submitted,

M. A. BURAZIN ET AL.

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CERTIFICATE OF FACSIMILE TRANSMITTAL

I, Judy Garot, hereby certify that on August 1, 2002 this document is being transmitted by facsimile to the United States Patent and Trademark Office.

By: 
 Judy Garot